

**Notice of Allowability**

Application No.

10/519,730

Examiner

Dean O. Takaoka

Applicant(s)

MAYER, BERND

Art Unit

2817

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment dated 12/15/06.
2. ☒ The allowed claim(s) is/are 15-22.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>12/15/06</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date <u>10/6/06</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                  | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|   | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Herbert F. Ruschman on December 12, 2006.

In the claims, cancel claims 1 – 14 and amend claim 15.

15. (Currently amended) An R switch for switching connections between microwave waveguides, comprising:

a stator having an interior cavity and four connection openings communicating with said interior cavity, each of said connection openings being respectively disposed on one of four side surfaces of said stator, said side surfaces being arranged in opposing pairs, said connection openings being configured to connect to the microwave waveguides;

a rotor rotatably disposed in the interior cavity;

said rotor having a centrally disposed straight interconnection configured to interconnect opposing ones of said connection openings when said rotor is positioned at a first rotation position;

said rotor having first and second curved interconnections respectively disposed on opposing sides of the straight interconnection, said first curved path being configured to interconnect first and second connection openings of said

connection openings which are disposed on adjacent ones of said four side surfaces when said rotor is positioned at a second rotation position different than said first rotation position, said second curved interconnection being configured to interconnect third and fourth connection openings of said connection openings which are disposed on other adjacent ones of said four side surfaces when said rotor is positioned at said second rotation position;

the straight interconnection being constructed as a step transformer, the straight interconnection having end openings, first and second opposing walls, and [second and] third and fourth opposing walls, and extending in a longitudinal direction between said end openings, and

the step transformer of the straight interconnection being formed by opposing first and second steps on said first and second walls, and said first and second steps defining recess spaces between longitudinally extending step sides of said first and second steps and at least one of said third and fourth walls opposing said longitudinally extending sides.

***Allowable Subject Matter***

Claims 15 – 22 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: Au-Yeung shows a similar stepped R switch but does not teach or suggest recess spaces extending between at least one of the third and fourth walls such as shown in Applicant's Fig. 2 where the top and bottom of the stepped portions comprise the third and fourth walls.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dean O. Takaoka whose telephone number is (571) 272-1772. The examiner can normally be reached on 8:30a - 5:00p Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (571) 272-1769. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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December 15, 2006